

EXHIBIT 2

Deposition	Plaintiffs' Designation	Defendants' Corresponding Counter Designation	Reason that Defendants' Counter Designation Must be Considered According to Fed.R.Civ.P 32(a)(4)
Alan Bonsell, January 3, 2005	77:24-79:16, 80:18-81:4	79:17-24	Defendants' designation lies right in the middle of testimony that Plaintiffs have designated in the same discussion regarding creationism and intelligent design
	77:24-79:16, 80:18-81:4	81:5-7	Defendants' designation is the three lines of testimony immediately following Plaintiffs' designation and is part of the same discussion regarding creationism and intelligent design

In The Matter Of:

*Tammy Kitzmiller, et al. v.
Dover Area School District, et al.*

*Alan Bonsell
January 3, 2005*

*Filius & McLucas Reporting Service, Inc.
1427 East Market Street, York, PA
4309 Linglestown Road, Harrisburg, PA*

(717) 845-6418 or (717) 236-0623

*Original File AB010305.TXT, 95 Pages
Min-U-Script® File ID: 2912591983*

Word Index included with this Min-U-Script®

Page 77

Page 79

[1] I think that was in your question.

[2] A: I mean I don't know who donated all of the books. You
[3] didn't ask — because I don't know who donated all of
[4] the books.

BY MR. ROTHSCHILD:

[5] Q: But your father was one of them?

[6] A: That is the only person I know.

[7] Q: You just don't know how many of the 60?

[8] A: I don't know. I have no idea about that goings on about
[9] it, of who donated, or how much they donated. I mean
[10] that wasn't — my father is my father. I'm me.

[11] Q: But you had an interaction with him in which you told
[12] him 60 books would be a good idea?

[13] A: Probably.

[14] Q: You can't remember how this subject matter came up?

[15] A: I believe I said before that it was because the comments
[16] of Barrie Callahan objecting to — what I remember is
[17] objecting to the school spending money on them. So I
[18] guess here is a group of people that said we will donate
[19] them.

[20] Q: And one member of that group of people told you?

[21] A: That they would donate the books. But I don't know —
[22] like I said, I don't know the group of people.

[23] Q: In the School District statement, it says that
[24] Mr. Nilsen has directed that no teacher will teach
[25]

[1] Q: Is that your understanding of what Creationism is?

[2] A: My personal opinion?

[3] Q: Yes.

[4] A: You are saying that — again, repeat it again.

[5] Q: Is your understanding of Creationism, does it include
[6] the tenet that creatures were formed as they now exist,
[7] birds having feathers?

[8] A: You mean species?

[9] Q: Yes.

[10] A: Yes.

[11] Q: And is it part of your understanding of Creationism that
[12] those separate species, birds, fish, humans do not share
[13] common ancestors?

[14] A: In respect to Creationism now we are talking about?

[15] Q: Yes, still Creationism.

[16] A: Yes.

[17] Q: Do you know what Intelligent Design — what position
[18] Intelligent Design takes on that issue of common
[19] descent?

[20] A: Well, Intelligent Design is not Creationism. Let's

[21] start off by saying that. Intelligent Design is a

[22] scientific theory. And as far as, you know, you are

[23] wanting my understanding of Intelligent Design now? Is

[24] that what you are asking?

[25] Q: Is that also an tenet of Intelligent Design that humans,

Page 78

Page 80

[1] Intelligent Design or Creationism or present his or her
[2] or the Board's religious beliefs.

[3] What do you understand by the use of the term
[4] Creationism, what does Creationism mean?

[5] A: You mean my opinion on what Creationism is?

[6] Q: This is your Board's press release. What does
[7] Creationism mean in this press release?

[8] A: I guess this would be the religious — what you would
[9] call the Bible version of origins.

[10] Q: Is that your personal understanding of what Creationism
[11] means?

[12] A: That is — I mean the definition of Creationism, you ask
[13] 50 people, there will be 50 different definitions. So I
[14] mean that's my personal definition of that. I'm not
[15] saying that is everybody's definition.

[16] Q: Your personal definition is the Bible version of
[17] origins; is that right?

[18] A: That is very general, but yeah.

[19] Q: Anything else that would fall —

[20] A: I mean the Bible version of creation of man and animals,
[21] that type of thing.

[22] Q: Would you agree that one aspect of Creationism is that
[23] creatures were originally made as they now exist, humans
[24] were humans, birds have feathers, fish have fins?

[25] A: You are asking my personal opinion?

[1] birds and fish don't share common ancestors?

[2] A: As far as everything started from one animal, is that
[3] what you are saying?

[4] Q: Just the question of whether they share common
[5] ancestors. You answered that question as regards
[6] Creationism. I am asking whether you have an
[7] understanding of whether Intelligent Design supports the
[8] same proposition, that birds and fish and humans do not
[9] have common ancestors.

[10] A: I think Intelligent Design is saying that life couldn't
[11] have gotten here by chance. That is basically I believe
[12] what they are saying.

[13] Q: But is one of the things that Intelligent Design is
[14] saying that the separate species, birds, fish, men do not
[15] share common ancestors? If you don't know, say you
[16] don't know.

[17] A: Well, I'm not sure.

[18] Q: Do you have a personal view of which concept
[19] Creationism, Intelligent Design evolution is more
[20] accurate?

[21] A: You are asking for my personal views now?

[22] Q: Yes.

[23] A: As far as Intelligent Design, Creationism or what?

[24] Q: Or Darwin's Theory.

[25] A: Do I think one more than another?

Page 81

[1] Q: Yes.
[2] A: Yes.
[3] Q: What is that?
[4] A: I believe in the Creationism.
[5] Q: Do you believe Creationism is a scientific theory?
[6] A: A scientific theory? Intelligent Design is a scientific
[7] theory. I guess Creationism would not be.
[8] Q: Have you attended any courses or lectures or seminars
[9] relating to the subjects of evolution, Intelligent
[10] Design or Creationism? I know you said you have done
[11] reading.
[12] A: Seminars?
[13] Q: Yes.
[14] A: Attended seminars? I don't believe I have attended
[15] seminars.
[16] Q: Lectures, courses?
[17] A: I can't recall.
[18] Q: Do you belong to a church?
[19] A: Yes.
[20] Q: What church is that?
[21] A: Church of the Open Door.
[22] Q: Has the subject matter of Intelligent Design been
[23] discussed at your church?
[24] A: I don't — I don't — I really — I really can't answer
[25] that, if it has ever been discussed. I'm not sure.

Page 82

[1] Q: Have you ever —
[2] A: I don't recall it being.
[3] Q: The press has reported that Casey Brown stated that she
[4] was asked by members of the Board whether she was Born
[5] Again.
[6] Are you aware of that occurring?
[7] A: No.
[8] Q: Ms. Yingling has been quoted in the press as stating she
[9] was encouraged to vote for the October 18th resolution
[10] by assertions that she was an atheist or un Christian.
[11] Are you aware of that occurring?
[12] A: No. I remember her — I also remember reading in the
[13] paper that she said the reason she voted for it is so
[14] that people didn't think she was an atheist.
[15] Q: You are not aware of anybody on the Board —
[16] A: She didn't say anything about being pressured.
[17] Q: You are not aware —
[18] A: I am not aware of anything like that. No, absolutely
[19] not. I think that is false, totally false.
[20] Q: Have you ever spoken to anybody at the Discovery
[21] Institute?
[22] A: Yes.
[23] Q: When was that?
[24] A: Just recently.
[25] Q: Can you describe the circumstances of your

Page 83

[1] communications with the Discovery Institute?
[2] A: Just basically things that they wanted.
[3] MR. THOMPSON: We are going to be getting involved
[4] in attorney/client privilege here so we have to be
[5] careful. Be very careful in answering his question that
[6] you don't reveal what you and the Discovery Institute
[7] lawyers discussed.
[8] MR. ROTHSCCHILD: As I said to Mr. Gillen, I am not
[9] sure I agree with you that the attorney/client privilege
[10] applies here.
[11] BY MR. ROTHSCCHILD:
[12] Q: I want to start without asking for any content of your
[13] communication for you to describe to me how it came to
[14] be that you had communication with the Discovery
[15] Institute, again, taking care not to tell me what was
[16] said.
[17] A: They had called and left a message for me to call them.
[18] Q: What did they say on their message?
[19] A: Basically that they just wanted to discuss things that
[20] they were, if I remember correctly, reading it in the
[21] newspapers and things like that. You know, it was on
[22] the AP wire so it was everywhere.
[23] Q: What did you do in response to that call?
[24] A: I did talk to them, but it was only I believe — only
[25] like once or twice that I ever like talked to them. It

Page 84

[1] wasn't like I had many conversations with them or
[2] anything like that.
[3] Q: Was your first actual conversation returning the call
[4] that they had left on your voice message?
[5] A: I believe so.
[6] Q: What did you say when you first made contact with
[7] somebody at the Discovery Institute?
[8] A: Just I was returning your call and was inquiring what
[9] the message was for.
[10] Q: Who did you talk to?
[11] A: I believe it was Seth Cooper, an attorney.
[12] Q: How did he respond to your statement returning your
[13] call? What did he say to you?
[14] A: He just said they wanted to discuss what we were doing
[15] at the School District.
[16] Q: Did he offer to represent you at that point?
[17] A: I don't recall.
[18] Q: In your conversations, did Mr. Cooper or any other
[19] attorney at the Discovery Institute ever offer to
[20] represent you or the School District?
[21] A: I would like to just take another break to ask my
[22] attorney a question.
[23] Q: That is fine.
[24] (The witness and his attorney exit the conference
[25] room to confer.)